



MICHIGAN
HOUSE OF REPRESENTATIVES
P.O. Box 30014
LANSING, MICHIGAN 48909-7514

MINUTES OF THE COMMITTEE
ON
CRIMINAL JUSTICE

Tuesday, September 29, 2015

9:00 a.m.

Room 327 House Office Building

The House Standing Committee on Criminal Justice was called to order by the Chair.

The Clerk read the letter from Speaker Cotter appointing Representative Afendoulis to the House Criminal Justice Committee.

Members present: Reps. Heise, Webber, Howrylak, Afendoulis, Lucido, Guerra, Hovey-Wright, Chang.

Members absent/excused: None.

Representative Lucido moved to adopt the September 22, 2015, minutes. There being no objection, the motion prevailed by unanimous consent.

The Chair laid HB 4843 before the committee:

HB 4843 (Pscholka) Controlled substances; penalties; certain minors; exempt from minors using prescription drugs.

Representative Pscholka testified in support of his bill. Questions and discussion followed.

Lori Mizwicki, mother of Mason Mizwicki, Brandi Huyser, aunt of Mason Mizwicki, and Kerri Teachout, representing the Berrien County Health Department, all testified in support of the bill.

Kathleen Wahl, representing the Michigan Department of Health and Human Services, Director of the EMS and Trauma Division, testified in support of the bill.

The following people submitted a card in support of the bill, but did not wish to speak:

Bill Kandler, representing the Michigan Probate Judges Association.

Shelli Weisberg, representing the American Civil Liberties Union of Michigan.

Eric Szydlowski, representing the Michigan Pharmacists Association.

Terry Jungel, representing the Michigan Sheriffs Association.

Allan Wachendorefer, representing the National Association of Social Workers of Michigan.

Sgt. Tim Fitzgerald, representing the Michigan State Police.

Judge Sue Dobrich, representing the Michigan Association of Treatment Court Professionals.

Mike Pendency, representing the Prosecuting Attorneys Association of Michigan.

The Chair laid SB 336 before the committee:

SB 336 (Schuitmaker) Law enforcement; other; public safety communications; create Michigan blue alert plan to broadcast information regarding attacks on peace officers.

Senator Schuitmaker and Joseph Adams, representing the Michigan Fraternal Order of Police, testified in support of the bill. Questions and discussion followed.

The following people submitted a card in support of the bill, but did not wish to speak:

John Marasco, representing the Michigan Fraternal Order of Police.
Ed Fox, representing the Michigan Fraternal Order of Police.
Terry Jungel, representing the Michigan Sheriffs Association.
David Hiller, representing the Michigan Fraternal Order of Police.
Tim Ward, representing the Police Officers Association of Michigan.
Robert Ott, representing the Michigan Fraternal Order of Police.
Kenneth Willis, representing the Michigan Fraternal Order of Police.
Michael Sauger, representing the Michigan Fraternal Order of Police.
David Willis, representing the Michigan Fraternal Order of Police.

The Chair laid HB 4787 and HB 4830 before the committee:

HB 4787 (Price) Crimes; other; coercing female to have an abortion against her will; prohibit, and provide penalties.

HB 4830 (Jenkins) Criminal procedure; sentencing guidelines; sentencing guidelines for crime of coercing a female to have an abortion against her will; enact.

Ed Rivet, representing Right to Life of Michigan, testified in support of HB 4787. Questions and discussion followed.

Rebecca Mastee, representing the Michigan Catholic Conference, submitted a card in support of the bills, but did not wish to speak.

Amy Hunter, representing himself, submitted a card in opposition of the bills, but did not wish to speak.

Representative Guerra offered the following amendments to HB 4787:

1. Amend page 1, line 3, after the second "**TO**" by striking out "**HAVE AN ABORTION**" and inserting "**MAKE ANY REPRODUCTIVE HEALTH DECISION**".
2. Amend page 1, line 11, after "**FEMALE**" by striking out the balance of the page through "**ABORTION**," on line 1 of page 2 and inserting "**ABOUT HER REPRODUCTIVE HEALTH DECISION**,".
3. Amend page 2, line 15, after "**FEMALE**" by striking out "**DOES NOT WANT TO OBTAIN AN ABORTION**" and inserting "**HAS MADE A DECISION ABOUT HER**".

REPRODUCTIVE HEALTH THAT".

4. Amend page 2, line 18, after **"TO"** by striking out the balance of the line and inserting **"MAKE A REPRODUCTIVE HEALTH DECISION."**

Representative Guerra moved to adopt the amendments to HB 4787. The motion did not prevail 3-5-0.

UNFAVORABLE ROLL CALL

Yeas: Reps. Guerra, Hovey-Wright, Chang.

Nays: Reps. Heise, Webber, Howrylak, Afendoulis, Lucido.

Pass: None.

Representative Guerra offered the following amendments to HB 4787:

1. Amend page 1, line 3, after **"ABORTION"** by inserting **"OR TO CONTINUE THE PREGNANCY AGAINST HER WILL"**.

2. Amend page 2, line 1, after **"ABORTION"** by inserting **"OR DOES NOT WANT TO CONTINUE THE PREGNANCY"**.

3. Amend page 2, line 15, after **"ABORTION"** by inserting **"OR DOES NOT WANT TO CONTINUE THE PREGNANCY"**.

4. Amend page 2, line 18, after **"ABORTION"** by inserting **"OR TO CONTINUE THE PREGNANCY"**.

Representative Guerra moved to adopt the amendments to HB 4787. The motion did not prevail 3-5-0.

UNFAVORABLE ROLL CALL

Yeas: Reps. Guerra, Hovey-Wright, Chang.

Nays: Reps. Heise, Webber, Howrylak, Afendoulis, Lucido.

Pass: None.

Representative Howrylak moved to report HB 4787 with recommendation. The motion prevailed 5-3-0.

FAVORABLE ROLL CALL

Yeas: Reps. Heise, Webber, Howrylak, Afendoulis, Lucido.

Nays: Reps. Guerra, Hovey-Wright, Chang.

Pass: None.

Representative Chang offered the following amendment to HB 4830:

Amend page 1, line 6, after **"TO"** by striking out **"HAVE AN ABORTION."** and inserting **"MAKE A REPRODUCTIVE HEALTH DECISION"**.

Representative Chang moved to adopt the amendment to HB 4830. The motion did not prevail 3-5-0.

UNFAVORABLE ROLL CALL

Yeas: Reps. Guerra, Hovey-Wright, Chang.
Nays: Reps. Heise, Webber, Howrylak, Afendoulis, Lucido.
Pass: None.

Representative Hovey-Wright offered the following amendment to HB 4830:

1. Amend page 1, line 6, after "**ABORTION**" by inserting "**OR CONTINUE A PREGNANCY**".

Representative Hovey-Wright moved to adopt the amendment to HB 4830. The motion did not prevail 3-5-0.

UNFAVORABLE ROLL CALL

Yeas: Reps. Guerra, Hovey-Wright, Chang.
Nays: Reps. Heise, Webber, Howrylak, Afendoulis, Lucido.
Pass: None.

Representative Afendoulis moved to report HB 4830 with recommendation. The motion prevailed 5-3-0.

FAVORABLE ROLL CALL

Yeas: Reps. Heise, Webber, Howrylak, Afendoulis, Lucido.
Nays: Reps. Guerra, Hovey-Wright, Chang.
Pass: None.

There being no further business before the committee, the Chair adjourned the meeting at 9:58 a.m.

Representative Kurt Heise, Chair _____
Angie Lake, Committee Clerk
House Criminal Justice Committee